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February 11, 2021

**By ECF**

The Hon. Katherine Polk Failla  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007-1312

**MEMO ENDORSED**

***Re: Shakeem Martin v. United States,  
13 Cr. 879 (KFP)***

Dear Judge Failla:

I write to confirm my appointment of counsel for Defendant Shakeem Martin under the Criminal Justice Act, 18 U.S.C. § 3006A, in the above-referenced matter.

By way of background, I was originally appointed to represent Mr. Martin on or about March 10, 2014, in a case that was then filed under seal due to Mr. Martin's juvenile status. My appointment was continued when the case was unsealed on May 8, 2014, when Mr. Martin pled guilty to a Superseding Information to one count of discharge of a firearm in support of a crime of violence in violation of 18 U.S.C. § 924(c). I represented Mr. Martin at the time until his sentencing. I was thereafter reappointed to represent Mr. Martin in relation to a petition to vacate his conviction and sentence under 28 U.S.C. § 2255, which was then advanced in light of Johnson v. United States, 1135 S.Ct. 2551 (2015). On September 18, 2019, Mr. Martin's initial conviction was vacated by this Court under Johnson after which Mr. Martin immediately entered a plea to a Second Superseding Information charging him with one count of Conspiracy to Commit Hobbs Act Robbery in violation of 18 U.S.C. § 1951. My representation of Mr. Martin continued under the Criminal Justice Act until on or about his re-sentencing on December 4, 2019. Mr. Martin's re-sentencing included a term of three years of supervised released. At no point was my representation of Mr. Martin terminated by the Court.

It has now been alleged that Mr. Martin violated the terms of his supervised release. Accordingly, the undersigned writes to confirm that my prior appointment remains in place and that I may bill any hours related to these new proceedings pursuant to my prior Criminal Justice Act appointment. Alternately, to the extent this Court believes necessary, I ask this Court to re-appointment me *nunc pro tunc* to February 5, 2021, the date I was first informed that a violation report and summons had been issued.

The Hon. Katherine Polk Failla

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As always, I thank Your Honor for her time and consideration.

Respectfully submitted,

/S/

Michael K. Bachrach

*Attorney for Defendant Shakeem Martin*

MKB/mb

cc: All parties of record (by ECF)

The Court is in receipt of Mr. Bachrach's above letter requesting confirmation of his appointment under the Criminal Justice Act (CJA) for the continued representation of Defendant Martin. The Court hereby GRANTS Mr. Bachrach's application to continue as CJA counsel for Defendant Martin.

Dated: February 12, 2021  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE